

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

NEW JERSEY BUILDING LABORERS  
STATEWIDE BENEFIT FUNDS and THE  
TRUSTEES THEREOF,

Petitioners,

v.

R. BAKER & SON / ALL INDUSTRIAL,

Respondent.

Civ. No. 20-9989

**OPINION**

**THOMPSON, U.S.D.J.**

This matter comes before the Court upon the Motion to Confirm Arbitration Award filed by Petitioners New Jersey Building Laborers Statewide Benefit Funds and The Trustees Thereof (“Petitioners”). (ECF No. 2.) The Motion is unopposed by Respondent R. Baker & Son / All Industrial (“Respondent”). The Court has decided the Motion after considering Petitioners’ written submissions and without holding oral argument pursuant to Rule 78(b) of the Federal Rules of Civil Procedure. For the reasons stated herein, the Motion is granted.

Upon review of Petitioners’ submissions, the Court finds that Respondent is bound by a collective bargaining agreement with Petitioner. (Pet. ¶ 6, ECF No. 1.) The agreement allows for the submission to arbitration of any controversies concerning delinquent payments to Petitioner. (See Exs. A, B, ECF No. 1.) In accordance with these terms, this dispute was submitted to Arbitrator J.J. Pierson, Esq. (“Arbitrator”). (See Ex. D, ECF No. 1.) On May 27, 2020, the Arbitrator entered an Award indicating that Respondent was delinquent in making required contributions to Petitioners from November 18, 2019 through January 12, 2020. (Arb. Award ¶

4, Ex. D, ECF No. 1.) The Arbitrator awarded \$121,875.05 to Petitioners, to be paid by Respondent within fourteen days of the receipt of the Award. (*Id.* ¶ 7.)

This Court must confirm an arbitration award “[i]f the parties in their agreement have agreed that a judgment of the court shall be entered upon the award made pursuant to the arbitration.” 9 U.S.C. § 9. Having considered the written submissions of Petitioners in light of Respondent’s failure to oppose the Motion, and for good cause shown, this Court grants Petitioners’ Motion to Confirm Arbitration Award. An appropriate Order will follow.

Date: September 21, 2020

/s/ Anne E. Thompson  
ANNE E. THOMPSON, U.S.D.J.